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PATENT

Attorney Docket No. 046124-5025-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Yukio KATO et al. )  
)  
Application No.: 09/555,342 )  
)  
Filed: May 26, 2000 )  
)  
For: HUMAN FETUS CHONDROCYTE- )  
DERIVED GENE )

Group Art Unit: 1642

Examiner: Minh-Tam Davis

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment & Reply in response to the Office Action dated January 6, 2003.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

[X] Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 410.00	\$205.00
[X] three months	\$ 930.00	\$465.00
[ ] four months	\$1,450.00	\$725.00

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	9	minus	38	0	at \$18 each =	\$0.00
Independent Claims	7	minus	15	0	at \$84 each =	\$0.00
First presentation of Multiple dependent claim					\$270.00	
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						\$0.00
TOTAL FEE =						\$0.00

4. Fee Payment

- ☒ The Commissioner is hereby authorized to charge deposit account no. 50-0310 in the amount of \$930.00 for a three-month extension of time.

5. Other Papers Enclosed


- ☒ Sambrook *et al.*, 1989, Molecular Cloning: A Laboratory Manual (2d edition) (relevant pages)

5. Constructive Petition:

- ☒ Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted  
Morgan, Lewis & Bockius LLP

Dated: July 2, 2003  
Morgan, Lewis & Bockius LLP  
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